IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO.19148 of 2004

Between:

Behara Bhaskar S/o.Dasu,
R/o.H.No.62/13/127 Mahalakshmi Nagar, Behara Street,
Jaganaikpur, Kakinada, East Godavari District.

...PETITIONER

AND

1 The Superintendent of Police, Vizianagaram District at Vizianagaram.
2 The Superintendent of Police Srikakulam District at Srikakulam.
3 The Superintendent of Police East Godavari District at Kakinada.
4 The Superintendent of Police West Godavari District at Eluru.
5 The Superintendent of Police Visakhapatnam District

at Visakhapatnam.
6 The Deputy Superintendent of Police Palakol, West Godavari District.
7 The Deputy Superintendent of Police Tanuku, West Godavari District.
8 The Deputy Superintendent of Police Mandapeta, East

Godavari District.
9 The Deputy Superintendent of Police Pithapuram, East

Godavari District.
10 The Deputy Superintendent of Police Peddapuram, East

Godavari District.
11 The Deputy Superintendent of Police Ramachandrapuram,

East Godavari District.
12 The Deputy Superintendent of Police Kakinada, East Godavari District.
13 The Deputy Superintendent of Police Peddapuram, East

Godavari District.
14 The Deputy Superintendent of Police Rajahmundry, East

Godavari District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus directing the respondents not to interfere with the Exhibition of games of skill such as 1) Ring Throw 2) Ball Throw (Box) 3) Video Games, 4) Dart Pin Throw 5) Gun Shooting 6) Steel Glass Shooting and 7) Steel Articles Games being arranged by the petitioner by declaring the action of the respondents officials and their subordinates in interfering with such activities as highly illegal, arbitrary and violative of Article 14 of the Constitution of India and in contravention of Section 15 of A.P.Gaming Act, 1974.

Counsel for the Petitioner: MR.G.V.SHIVAJI

Counsel for the Respondents: GP FOR HOME

The Court made the following:

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THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO.19148 of 2004

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ORDER:

This Writ Petition is filed seeking a declaration that the action of the respondents in interfering with the exhibition of the skill games such as 1) Ring Throw, 2) Ball throw (Box), 3) Video Games, 4) Dart Pin Throw, 5) Gun Shooting, 6) Steel Glass Shooting and 7) Articles Games by the petitioner, is illegal and arbitrary.

The contention of the petitioner is that he is running only skill games, but the respondents are interfering with his business without there being any justifiable reason.

Having heard the learned counsel for the petitioner as well as the learned Government Pleader for Home appearing for the respondents, the Writ Petition is disposed of directing the respondents not to interfere with the activities being carried

out by the petitioner as long as the activities of the petitioner are in accordance with law. However, if the activities being carried out by the petitioner are found in violation of the provisions of the A.P.Gaming Act or any other law which is in force in the State, the respondents are at liberty to proceed against the petitioner in accordance with law. No costs.

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(G.ROHINI, J)

14th October 2004

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1 The Superintendent of Police, Vizianagaram District at Vizianagaram.
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Godavari District.

15. Two CCs to G.P. for Home, High Court Buildings, Hyderabad (OUT).

16. Two CD copies.